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OFFICE OF PETITIONS

In re Application of :
Steve Guilkey :
Application No. 09/878,578 : DECISION ON PETITION
Filed: June 11, 2001 :
Title: DUNNAGE TRANSPORT ORGANIZER :

This is a decision on the petition under § 1.137(b) filed August 29, 2005, to revive the above-identified application based on unintentional delay.

The petition under § 1.137(b) is GRANTED.

The above-identified application became abandoned effective June 27, 2003 for failure to timely file a reply to the final rejection mailed March 26, 2003. A Notice of Abandonment was mailed on October 28, 2003.

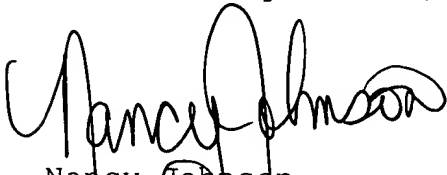
By decision mailed February 4, 2004, a prior petition to revive based on unavoidable delay filed November 10, 2003 was dismissed. Petitioner failed to submit the required reply or to make an adequate showing of unavoidable delay. As to the required reply, petitioner was specifically advised that the reply filed on petition did not place the application in condition for allowance, and as such, the reply was not sufficient to revive the application. An advisory action was enclosed with the decision. By decision mailed June 29, 2005, a petition to revive based on unintentional delay filed June 6, 2005 was dismissed. Applicant had resubmitted the reply submitted on petition filed November 10, 2003. Accordingly, the petition was dismissed.

On instant petition, applicants have submitted another amendment; and an explanation for their delay in not filing until June 6, 2005, a petition to revive in response to the dismissal mailed February 4, 2004.

Petitioner has now met all requirements for a grantable petition pursuant to 1.137(b). The petition includes the reply required to revive the application, and the petition fee. Further, the petition includes an adequate showing of unintentional delay for all of the relevant periods.

The application file is being forwarded to Technology Center AU 3612 for consideration by the examiner of the amendment filed August 29, 2005.

Telephone inquiries specific to this decision may be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" being more prominent than the last name "Johnson".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions